UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,316	06/20/2003	Jordi Albornoz	POU920030117US1	6085

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John E. Campbell
IBM Corporation
2455 South Road, P386
Poughkeepsie, NY 12601

EXAMINER
ARANI, TAGHI T

ART UNIT	PAPER NUMBER
2131	

DATE MAILED: 12/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>19 August 2005</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-37</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-37</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>20 June 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>08/19/2005 and 06/20/2003</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-37 have been examined and are pending

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2.   Claims 14-37 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 14 recites "A system........comprising:"

"a value creator ......"

" an object creator............"

"a second creator ....", and

"a saver saving ....".

The terms " a value creator", "an object creator", "a second creator" and "a saver " reciting as elements of the claimed "system" are merely computer codes and /or programs as described in the specification .

Claim 19 recites "A system ....comprising:"

"an obtainer....";

"a finder......"; and

"a retriever......".

The terms "an obtainer", "a finder" and "a retriever" recited as being elements of the claimed "system" are merely computer codes and /or programs as described in the specification.

Claims 14 and 19 recite computer code per se and are therefore deemed to be non-statutory. While the preamble of claims 14 and 19 recite a system, the bodies of claims 14 and 19 recite computer code per se and are therefore deemed to be non-statutory.

Dependent claims 15-18 and 20-25 are also inherit deficiencies of the base claims 14 and 19 and therefore are non-statutory.

Claims 26, 31 and 34 are computer program products comprising computer readable medium having computer readable code thereon. Claims 26, 31 and 34 recite computer code per se and are therefore deemed to be non-statutory.

Dependent claims 27-30 and 32-33 and 35-37 are also inherit deficiencies of the base claims 14 and 19 and therefore are non-statutory

Claim Rejections - 35 USC § 112

3.   Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 12 recites the limitation " The method according to claim 9 comprising the further step of:

recording at the first location, the first relationship of the first digital fingerprint value and third location of the data object retrieved from the second database.   There is insufficient antecedent basis for the claimed "third location of the data object retrieved from the second database" in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 1-11, 13-37 are rejected under 35 U.S.C. 102(e) as being anticipated by US patent

6,546,405 to Gupta et al. (Hereinafter "Gupta").

As per claim 1, Gupta teaches a method for annotating a data object, the method

comprising the steps of (Abstract, Fig. 1 and associated text, col. 4, lines 25-51):

creating a first digital fingerprint value of the data object (col. 12, lines 58-66, see also

fog. 4 and associated text, where a globally unique identifier (GUID) is assigned to multimedia

document, see also col. 14, lines 23-42, where GUID is a concatenation of an IP address, a time

stamp and a random number), the data object stored at a first location (col. 12, lines 35-41, where

multimedia documents are stored in server computer systems 100B-D, see also Fig. 1 A);

creating a first annotation object (col. 4, lines 52-63, where a temporal annotation

objected added to a displayed multimedia document, see also col.7, lines 17-44, where a

temporal annotation manager creates a temporal annotation and that (col. 1, lines 31-32, a user

can create multiple temporal annotation entries);

creating a first relationship relating the first digital fingerprint value to the first location;

creating a second relationship relating the first digital fingerprint value to the first

annotation object; and saving in an annotation store any one of the first relationship or the

second relationship (col. 14, lines 58-identifier filed 402 of temporal annotation database 150

contains GUID and/or an RTP address representing RTP address of multimedia document 140,

i.e. database 150 contains identifier field 402 and RTP address filed 404 relating the GUID

(fingerprint) and the annotation with the multimedia document, see also col. 12, lines 58-66).

As per claim 2, Gupta teaches the method according to claim 1 wherein the first digital

fingerprint value is created from any one of the digital data of the object, the digital data of one

or more portions of the object, the digital data of the object combined with other digital data or

the digital data of the location of the object (col. 14, lines 23-25, i.e. GUID is a concatenation of

an IP address, a time stamp (i.e. a unique date and time the motion picture of the multimedia

object was captured) and a random number, i.e. data object of the location of the object)

As per claim 3, Gupta teaches the method according to claim 1 wherein the digital

fingerprint value is created using any one of a checksum algorithm, a cyclic redundancy check, a

hash algorithm, the SHA-256 secure hash algorithm, the SHA-1 secure hash algorithm or the

MD5 message digest algorithm (col. 15, lines 31-49, i.e. a hash of the unique identifier of the

multimedia document is created).

As per claim 4, Gupta teaches the method according to claim 1 comprising the further

steps of:

creating a second annotation object (col. 10, lines 31-41, where multiple annotations for

a particular multimedia document is disclosed);

creating a third relationship the third relationship relating the first digital fingerprint to

the second annotation object; and saving the third relationship in the annotation store (col. 10,

lines 42-64, see also col. 11, lines 7-49, where data in identifier filed 402 (Fig. 4) of annotation

database 150 identifies multimedia document. Data such as GUID; an RTP address (URL) by

which multimedia document is identified).

As per claim 5, Gupta teaches the method according to claim 1 comprising the further

steps of:

locating the data object at a second location; creating a fourth relationship relating the

first digital fingerprint to the second location; and saving the fourth relationship in the annotation

store (col. 14, lines 58-67, where identifier field 402 of temporal annotation database 150

contains data uniquely identifying multimedia document, namely GUID (i.e. fingerprint). In

addition, temporal annotation database 150 includes and RTP address field 404 (i.e. location)

containing data representing the RTP address of the multimedia document associating

multimedia document 140 with temporal annotation database 150).

As per claim 6, Gupta teaches a method for accessing an annotated data object, the

method comprising the steps of:

obtaining a first digital fingerprint value for a data object (col. 15, lines 7-30, where

temporal annotation manager 182 retrieves temporal annotation database 150 associated with the

multimedia document (data object) with a file name derived from a unique multimedia document

identifier (i.e. first digital fingerprint value));

finding any one of a first annotation object having a relationship to the first digital

fingerprint value or the data object having a relationship to the first digital fingerprint value (the

temporal annotation database is retrieved based on the unique identifier); and retrieving any one

of the first annotation object or the data object (col. 15, lines 40-49).

As per claim 7, Gupta teaches the method according to claim 6 wherein the finding step comprises the further step of querying an annotation store for an entry containing the first digital fingerprint value and a first relationship of the first digital fingerprint to any one of an annotation object or the location of the data object (col. 12, lines 58-66, see also fog. 4 and associated text, where a globally unique identifier (GUID) is assigned to multimedia document, see also col. 14, lines 23-42, where GUID is a concatenation of an IP address, a time stamp and a random number) .

As per claim 8, Gupta teaches the method according to claim 6 wherein the obtaining step comprises the further step of any one of: calculating the first digital fingerprint value of the data object; or querying an annotation store for a second annotation object and the first digital fingerprint associated with the second annotation object (col. 15, lines 31-49, where a hashing function is applied to the unique identifier of the multimedia document and the temporal annotation database is searched).

As per claim 9, Gupta teaches a method for accessing a data object, the method comprising the steps of (Abstract, Figs. 1C, 4 and associated texts):

retrieving at a first location a first digital fingerprint value of a first data object (col. 15, lines 9-49, where the temporal annotation manager 182 retrieves GUID), a first annotation object related to the first digital fingerprint (the temporal annotation manager 182 also retrieves the temporal annotation databases related to the multimedia document) and a first identity of a second location related to the first digital fingerprint (i.e. a file name for each temporal

annotation database), the second location comprising location of the data object(i.e. the file

name is derived from the unique identifier of the multimedia document 140);

retrieving the data object from the second location; and relating the first annotation

object with the data object retrieved (col. 15, lines 37-49).

As per claim 10, Gupta teaches the method according to claim 9 wherein the retrieving

step comprises the further steps of:

determining that the data object is not at the second location; searching a second

database for data objects having the first digital fingerprint; and retrieving the data object from a

third location in the second database (col. 15, lines 37-49, where the temporal annotation

manager searches a specific directory by applying a hashing function).

As per claim 11, Gupta teaches the method according to claim 10 further comprising the

step of repeating the steps of claim 10 according to a predetermined plan (col. 15, lines 38-49,

that is by applying hashing function to the unique identifier of the multimedia document and

locating the temporal annotation database 150 from the unique identifier by applying the same

hashing function).

As per claim 13, Gupta teaches a method for annotating a data object, the method

comprising the steps of:

associating a digital fingerprint value of a first data object with a first location of the first

data object (col. 14, lines 23-42, Fig. 11 and associated text, i.e. a GUID created by

concatenation IP address, a time stamp and random number associated with the multimedia

document 140);

associating the digital fingerprint value of the first data object with a second location of a

second data object (col. 14, lines 58-67, i.e. associating a temporal annotation database 150 with

the GUID through identifier field 402);

and associating the first data object with the second data object using the digital

fingerprint value of the first data object (col. 14, lines 58-67, and an RTP address filed 404

representing the RTP address of the multimedia document with the temporal annotation).

Claims 14-25 are essentially the same as claims 1-11 and 13 except that it sets forth the

claimed invention as a system rather than a method and rejected for the same reasons as applied

hereinabove.

Claims 26-37 are essentially the same as claims 1-11 and 13 except that it sets forth the

claimed invention as a computer program product rather than a method and rejected for the same

reasons as applied hereinabove.

Conclusion

5.   Prior arts made of record, not relied upon:

US patent 5,787,175 to carter.

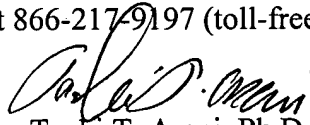US 6,011,487 to Follendore, II.

EP 0 984 371 A2 to Van Der Meer et al.

US 7143,091 to Charnock et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Taghi T. Arani whose telephone number is (571) 272-3787. The examiner can normally be reached on 8:00-5:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Taghi T. Arani, Ph.D.
Primary Examiner
Art Unit 2131
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